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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,881	02/02/2006	Jill Macdonald Boyce	PU030249	9963
24498 7590 06/14/2010 Robert D. Shedd, Patent Operations THOMSON Licensing LLC P.O. Box 5312 Princeton, NJ 08543-5312			EXAMINER AHN, SAM K	
			ART UNIT 2611	PAPER NUMBER
			MAIL DATE 06/14/2010	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

10/566,881

## Applicant(s)

BOYCE ET AL.

## Examiner

SAM K. AHN

## Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-31 is/are allowed.
- 6) ☒ Claim(s) 1-6, 11 and 32 is/are rejected.
- 7) ☒ Claim(s) 7-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB06)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1-11 are objected to because of the following informalities:

In claim 1, the method claim should be amended to include at least one hardware to avoid potential 101 rejection as being directed to non-statutory subject matter, such as including "video decoder", in order to ensure that at least one step is performed by a hardware.

Claim 11 is objected to as applied to claim 1.

Claims 2-10 depend on claim 1. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 32 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In line 8 of the claim, the claim recites "...at least one pixel in the picture...". The claim also recites "decoded pictures", "at least one previously decoded picture", "future pictures", hence it is unclear which it is referring to, thus fails to particularly point out and distinctly claim the subject matter.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by O'Brien US 2002/0061062 A1.

Regarding claim 1, O'Brien discloses a method for reducing artifacts in a video stream, comprising the steps of: decoding the video stream (30 in Fig.1); and adding noise to at least one pixel in a picture in the video stream following decoding in an amount correlated to additive noise of pixels in at least one prior picture (note paragraphs 0053, 0054, picture or frame  $i+1$  is applied with added noise of weighted corrected measures of R G B multiplied by one-third of frame  $i$  or prior picture or frame).

Regarding claim 2, O'Brien further discloses wherein the at least one prior picture comprises a previously displayed picture (note paragraph 0010).

Regarding claim 3, O'Brien further discloses where the at least one prior picture comprises a previously decoded picture (picture or frame  $I$ , note paragraphs 0053, 0054).

Regarding claim 4, O'Brien further discloses wherein the amount of noise is correlated in accordance with a correlation factor  $a$  having a value such that  $0 \leq a \leq 1$  (multiplied by correlation factor of 1/3, note paragraph 54).

Regarding claim 11, the claim is rejected as applied to claim 1 with similar scope. O'Brien further discloses additive noise of at least one other pixel in the picture (pixel<sub>a</sub> or pixel<sub>b</sub> in Fig.5).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien US 2002/0061062 A1 in view of Childers et al. US 5,210,836 (Childers).

Regarding claim 5, O'Brien teaches all subject matter claimed, as applied to claim 1, however, does not explicitly teach wherein the amount of noise is correlated using an instantiation of a Finite Impulse Response (FIR) filter. Childers teaches in a similar field of endeavor of processing video signals wherein a filter is applied to the signals using FIR or IIR filters through software programmable device (note c.42, l.1-5). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to incorporate the teaching of Childers into the filter of O'Brien

wherein the filter is FIR or IIR filters for the purpose of increasing the flexibility of the system through software programmable device (note c.42, I.1-5).

Regarding claim 6, O'Brien teaches all subject matter claimed, as applied to claim 1, however, does not explicitly teach wherein the amount of noise is correlated using an instantiation of a Infinite Impulse Response (IIR) filter. Childers teaches in a similar field of endeavor of processing video signals wherein a filter is applied to the signals using FIR or IIR filters through software programmable device (note c.42, I.1-5). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to incorporate the teaching of Childers into the filter of O'Brien wherein the filter is FIR or IIR filters for the purpose of increasing the flexibility of the system through software programmable device (note c.42, I.1-5).

***Allowable Subject Matter***

5. Claims 12-31 are allowed.
6. Claims 7-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and overcome the claim objections.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Ahn whose telephone number is (571) 272-3044. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on (571) 272-3021.

Art Unit: 2611

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Sam K. Ahn/  
Primary Examiner, Art Unit 2611

6/14/2010